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November 30, 2017

Chair Patti Cisco and Commissioners
Santa Rosa Planning Commission
Santa Rosa City Hall
100 Santa Rosa Avenue
Santa Rosa, CA 95404

Via email

Re: Item 8.4 ROUND BARN GENERAL PLAN AMENDMENT AND REZONING AND MITIGATED
NEGATIVE DECLARATION - PLANNING PROJECT

Dear Chair Cisco and Commissioners,

Greenbelt Alliance urges you to consider the following questions and concerns while deliberating on the request for a General Plan Amendment and Rezone for the 40.18-acre site in the Round Barn area of Fountaingrove in Santa Rosa and reviewing the associated environmental documents produced to comply with the California Environmental Quality Act (CEQA) (Mitigated Negative Declaration).

We understand that General Plan Amendment would change the land use designation from Business Park to Medium Low Density Residential (8-13 units per acre) and Open Space, while the Rezoning would change the zoning from PD72-001 (Fountain Grove Planned Development) to R-1-6 (Single-Family Residential) and OSC (Open Space – Conservation).

While recognizing the benefits of providing new opportunities for housing and protecting urban open space, Greenbelt Alliance is concerned about the uncertainty of taking this action without a specific project, the level of housing density, the open space element, the fire risk and timing. See detailed comments below that offer some suggestions for addressing these concerns.

Nearby proposed luxury resort at Buzzard's Gulch

In addition, please accept these clarifications regarding our previous comments related to the proposed luxury resort and event center on lands north of the Round Barn project at Buzzards Gulch (aka Sonoma Solstice) in the community separator on the edge of Santa Rosa's Urban Growth Boundary. The proposed luxury resort is not directly related to the Round Barn properties or proposed rezoning and GP amendment. However, it could have environmental impacts on the project and the city. See more on this below.

Need to Correct Erroneous CEQA Comments by First Carbon Solutions on Luxury Resort

The main concern related to the luxury resort we'd like the Planning Commission to address now is First Carbon Solutions incorrect response to public comments. Their statement in the Mitigated Neg Dec that the proposed luxury resort at Buzzard's Gulch is compliant with the Sonoma County General Plan and covered by its associated EIR is erroneous and not at all accurate.

No determination had been made by the Sonoma County planning department, planning commission or board of supervisors about whether the proposed luxury resort and event center is consistent with the Sonoma County General Plan, nor the level of environmental review that will be required. In fact the luxury resort project's application for a new discretionary use permit remains incomplete, pending additional traffic and other studies. The number of cabins proposed for the luxury resort as cited by the consultants is only part of a much larger project that involves a new event center, parking lot, road, swimming pool, commercial kitchen and hundreds of events.

How or why First Carbon Solutions made its own determination that the project was allowed under the Sonoma County General Plan and programmatic EIR is unclear, but needs to be immediately corrected for the benefit of CEQA and the public record.

Greenbelt Alliance urges the Planning Commission to direct staff to correct and strike the statements from First Carbon Solutions EIR in the staff report and the associated CEQA document that the luxury resort is compliant with the Sonoma County General Plan and covered by the county programmatic EIR.

Greenbelt Alliance brought the issue of the proposed luxury resort to the attention of city planners to seek comment and review as requested by the County of Sonoma on the potential environmental impacts to the city and its UGB. The luxury resort if allowed would intensify development on the border of the UGB, undermining longstanding policies to prevent sprawl and maintain community separation with green buffers. Other potential negative impacts on city groundwater, air quality, traffic, noise and lighting should also be considered by the city.

When it comes to the Round Barn project, our goal was to alert the city planner and developers that the luxury resort could contribute to negative environmental and cumulative impacts in the vicinity, potentially making things difficult for the Round Barn project (not the other way around). We hope the city and the developers will oppose the luxury resort for these reasons, if in fact it moves forward.

Concerns and Questions about the Round Barn General Plan Amendment and Rezoning

1. Project Uncertainty: The proposed rezoning and General Plan Amendment is moving forward without a specific project proposal. That is very unusual. Without a specific project, making a significant rezoning decision from business park to housing, while certainly worthwhile, might be better done as part of a General Plan or Specific Area Plan update with wider community input.

As described in the staff report, because there is no project, rezoning as proposed would not obligate the applicant or any future developer to construct anything other than what is legally allowed under the proposed rezoning to low-to-medium density single family homes. As a result, rezoning without a project or specific conditions creates significant uncertainty as to what will eventually be built.

The city and the public would be better served if the Planning Commission added specific conditions on what might be allowed with the rezoning and General Plan Amendment, such as levels of affordability and number and type of units required. For example, could you condition the proposed actions on the maximum build out of 237 units, with 15 percent affordability and the option for density bonuses in line with existing city policies and the Housing Action Plan? Perhaps in a separate but associated resolution that puts you on record for the type of project that the city would support at the location would provide certainty for all, including the developer.

Another uncertainty is how the CEQA document that was developed for this action would be applied to future development. It seems to serve as a programmatic EIR at the same time it suggests future environmental review will be needed. It would be very helpful to provide clarifications and examples of what would or would not be covered under the Mitigated Neg Dec and when additional review would be required, mostly for the benefit for those of us who are not CEQA experts.

In one section it states that: *Furthermore, the Initial Study/Mitigated Negative Declaration will serve as the environmental compliance document required under CEQA for any subsequent phases of the project and for permits/approvals required by a responsible agency.*

Then in other sections it says:

Also previously noted, any future on-site residential development would be subject to separate approval, including zoning clearance, use permit, and/or hillside development, as applicable and indicated by Zoning Code Section 20-22.030. Separate CEQA review would be required for all discretionary permits.

2. Housing Density: Greenbelt Alliance urges the Planning Commission to consider rezoning for housing at a higher level of density if it decides to move forward. We agree with the need for more housing in Santa Rosa across the income spectrum while ensuring that affordable housing is built. We urge at least zoning for medium density residential or higher. This would be consistent with the Housing Action Plan and proposed new density bonus policies being considered by the city. In fact, the properties immediately adjacent to the Round Barn project site are slated for designation for the highest possible density bonus level of 100 percent. So zoning the property to higher density would not conflict with other policies or, more importantly, adjacent neighborhoods. In addition, any housing project at the Round Barn site should require at least 15 percent on-site affordable housing consistent with existing city policy.

3. Open Space Element: Greenbelt Alliance supports the designation of 21.92 acres as Open Space and the maintenance of the lands and existing walking path by the property owners and developers. However, we would like further clarification on the existing “easement” and how that is implemented. What is the difference between the existing easement and the designation of additional land as Open Space. Do these actions maintain these

lands as open space in perpetuity? What legal or policy mechanism would ensure that the land would not later be developed or converted to other uses?

4. Fire Risk: Given that the properties in question and the surrounding areas recently burned in the Tubbs fire, it may be wise to give further consideration to how to ensure that the fire risk to new homes and families in the area would be prevented or significantly reduced. Please refer to specific comments on fire risk submitted by Sonia Taylor in her letter of Nov. 29 concerning this and other projects before you today.

5. Timing: Greenbelt Alliance recognizes the need for the city of Santa Rosa to move forward on planning and other city business in the aftermath of the Tubb's and other North Bay Fires. At the same time, it may make sense to pause and consider providing more time for the city, the community, homeowners, businesses and developers to think more holistically about what should happen in burned areas including Fountaingrove, particularly when it comes to new development. While we recognize the urgent need for rebuilding replacement homes and more new housing, perhaps it is time to revisit the 1981 Fountaingrove Ranch Planned Community District and Policy Statement recently distributed to the Planning Commission before approving new developments.

Greenbelt Alliance's mission is to fully protect the Bay Area's 3.6 million-acre greenbelt of natural and agricultural lands; direct all new development into already urbanized areas; and supporting urban development that benefits residents across the socio-economic spectrum.

Thank you for considering our views.

Sincerely yours,



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29 November 2017

Patti Cisco, Chair
Casey Edmondson, Vice Chair
Vicki Duggan
Curt Groninga
Julian Peterson
Peter Rumble
Karen Weeks
Santa Rosa Planning Commission

Via email

Re: Planning Commission Agenda Items 8.1 and 8.4, 11/30/17 Meeting

Dear Chair Cisco and Members of the Santa Rosa Planning Commission:

On your November 30th agenda you have two items that I find concerning.

Item 8.1 is a request by Oakmont Senior Living/OSL Santa Rosa Properties LLC requesting approval of Oakmont of Emerald Isle Assisted Living's request for a Conditional Use Permit for construction and operation of a 49-unit assisted living facility, for a Hillside Development Permit for the same project, and for adoption of a Mitigated Negative Declaration for the same project.

Item 8.4 is a request by City Ventures/Arterial Vascular Engineering, Inc. for the "Round Barn" project, requesting approval of a General Plan Amendment and Rezoning of the site, and for adoption of a Mitigated Negative Declaration for the site (ultimately to be approved by the City Council).

Both of these proposed actions are for properties in Fountaingrove. Not to overstate the obvious, but substantial portions of Fountaingrove burned during the Tubbs fire, including existing properties in the immediate vicinity of the properties on which you are requested to take actions.

APPROVALS ARE PREMATURE

Santa Rosa, as a community, has agreed that burned properties should be allowed to rebuild, and agreed to expedite that rebuilding. That discussion has taken place, and the City Council has confirmed that community decision.

These two proposals, however, are for **new** development in an area substantially burned. Neither the community, nor the City Council, has as yet had an opportunity to discuss whether and/or what we want to do about **new** development in areas such as Fountaingrove, and I believe it is necessary to have that

discussion prior to approving actual new development (the Emerald Isle proposal) or a General Plan Amendment/Rezoning that will inevitably lead to new development (the Round Barn proposal).

It is premature to consider, let alone approve, either of these projects. Not only does our community and the City Council deserve the right to have the conversation about new development in burned areas, but I strongly believe that it would be prudent to wait until Cal Fire and Santa Rosa have had the time and opportunity to fully evaluate and assess the Tubbs fire, and potentially revise maps and other building regulations, prior to taking any actions that would result in new construction on vacant lands in Fountaingrove.

I would request that you put Items 8.1 and 8.4 on hold for at least six months to allow for such community conversation and assessment of the impacts of the Tubbs fire.

THE MITIGATED NEGATIVE DECLARATIONS ARE INACCURATE AND INADEQUATE

Both of the Mitigated Negative Declarations for 8.1 and 8.4 (coincidentally prepared by the same firm – FirstCarbon Solutions), and the November 6, 2017 Memo from FirstCarbon Solutions responding to the Tubbs fire with regard to the Emerald Isle project, state that there is **Less than a Significant Impact** for any significant risk of loss, injury or death from wildland fires for both proposals, in virtually identical language.

Because their conclusion, for both projects, is that those actions will have a Less than a Significant Impact, there are no mitigation measures proposed in the Mitigated Negative Declarations.

I do not believe that these assertions are accurate, based both on the information they provide (and don't provide), as discussed below, and based on the real life experience we have with the Tubbs fire. In fact, I believe that both of these Mitigated Negative Declarations are disingenuous, at best.

Both of the Mitigated Negative Declarations reference a variety of materials in support of their conclusions that these project sites are located in **“Non-Very High Fire Hazard Severity Zone.”** Unfortunately, they neglect to reference the two documents that actually matter in this regard:

1. **City of Santa Rosa Local Hazard Mitigation Plan, dated October 2016** (they do reference an earlier version of this Plan, but fail to reference the most current version, or any pages that I believe would be useful to your decision making). This report is available at: <https://srcity.org/DocumentCenter/View/3982>

2. **City of Santa Rosa Wildland – Urban Interface Fire Area Map, dated 28 January 2009** This map is available at: <https://srcity.org/DocumentCenter/View/4775>

Fire Hazard Severity Zones/Wildland-Urban Interface Fire Areas:

Both Mitigated Negative Declarations reference the CalFire “Very High Fire Hazard Severity Zones in LRA [Local Responsibility Area]” map, and use that map (along with a similar U.S. Forest Service Wildfire Hazard potential map) to support their contention that neither of the project locations is in a Very High Fire Hazard Severity Zone.

While I agree that those maps do support that conclusion, I do not believe that those maps are the best information that should have been used in the preparation of these Mitigated Negative Declarations, leading to what I believe are erroneous and potentially dangerous conclusions.

If you refer to the October 2016 Local Hazard Mitigation Plan, you will discover on page 59 (page 63 of the pdf document) that:

... On February 24, 2009 the Santa Rosa City Council approved an amendment to Chapter 47 Section 18-44.4702.1 of the 2007 California Fire Code (CFC) defining a Wildland Urban Interface Fire Area as follows:

"Wildland-Urban Interface Fire Area is a geographical area in the City of Santa Rosa at significant risk from wildfires as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009 and retained on file in the City Geographic Information System and in the Office of the City's Fire Marshall. The Wildland-Urban Interface Fire Area shall include Very High Fire Hazard Severity Zones recommended by the Director of the California Department of Forestry and Fire Protection pursuant to Public Resource Code sections 4201 – 4204 and Government Code sections 51175 – 51189." (emphasis added)

If you refer to Santa Rosa's current Wildland-Urban Interface Fire Area Map, you will see that both of the potential projects you are being requested to approve are within this area of "significant risk from wildfires."

Further, at page 63 of the Local Hazard Mitigation Plan (page 67 of the pdf document), the following statement is made:

Exposure to future wildfires is expected to increase. Areas in Santa Rosa with higher potential for wildfire risks include hillside residential neighborhoods in the northern and eastern areas of the City with tall grasses and chaparral, which provide fuel for wildfires. With population growth and urbanization, a larger number of people and homes may be located in areas of wildfire risk. However, the General Plan designates the density of homes in Santa Rosa's WUI as primarily low density, including Very Low Density Residential (0.2–2.0 units per acre), Land Low Density Residential (2.0-8.0 units per acre).

Both of the proposals before you would increase residential density in the current Wildland-Urban Interface Fire Area, and the Emerald Isle proposal would increase it with a population of elderly and disabled residents.

In the November 6, 2017 Memo prepared for the Emerald Isle project, to discuss the CEQA evaluation after the Tubbs fire, the following statements are made:

Implementation of the proposed Project would not substantially alter the risk of wildfire on the site, and continued implementation of existing wildfire mitigation strategies by responsible agencies in the area as well as implementation of any additional strategies to be developed and implemented in the coming months would be sufficient to ensure that the associated impacts from Project implementation remain less than significant. Therefore the analysis contained in the Draft ISMND remains valid.

While I agree that the risk of a wildfire remains substantially the same whether this project is built or not, I strongly object to the reaffirmed conclusion that this project is in a **“Non-Very High Fire Hazard Severity Zone.”** In fact, since the Mitigated Negative Declaration declares this to be “Less than a Significant Impact,” no mitigation measures are proposed. Any future “additional strategies to be developed and implemented in the coming months” are in fact mitigation measures that must be included in the Mitigated Negative Declaration so that the Planning Commission can evaluate the adequacy of said possible mitigations. Of course, they can’t be included, because said mitigation measures are presently unknown.

I believe that the evidence available indicates that there may be a significant environmental impact of fire danger for both of these proposed projects. I would even go further, and state that there is no question that fire danger is unquestionably a significant environmental impact for both of these proposed projects.

Since both of the Mitigated Negative Declarations fail to properly evaluate or even acknowledge that environmental impact, they are inaccurate, inadequate, and you should reject them both.

PROJECT SPECIFIC COMMENTS

Emerald Isle Project, Item 8.1:

Beyond the fact that neither the community, nor the City Council, has had the opportunity to have the conversation about permitting new development in burned areas, I have one very specific problem with this proposal.

This project is built on a cul-de-sac. There is only one way in and one way out of the project. As we all learned through our experience with the recent fires, safe evacuation is both difficult and extremely important. To permit a project of entirely elderly and disabled residents on a cul-de-sac is a very poor idea. I am quite sensitive to this problem, since I live on a dead end street, and only have one way in and one way out of my home – this was very challenging and frightening during the fires.

I would request that you require that this project – if/when it comes back to you after the community conversation has taken place, and after the Mitigated Negative Declaration has been corrected – have two means of egress. A cul-de-sac is a terrible idea, particularly for this sensitive population of residents.

Round Barn Project, Item 8.4:

First, I generally dislike General Plan Amendments and Rezoning that come forward without an actual project that will be built.

Second, assuming the community wants to approve new development in Fountaingrove, I very much oppose the General Plan amendment to medium low density residential and rezoning of this property to R-1-6, single family residential. Although City Ventures has a plan for potential townhomes in the future, they may or may not come to fruition. This redesignation and rezoning could permit building of more single family homes at some point in the future, and because of the location, it is likely that they would in no way be affordable.

If there is agreement to permit new residential development in Fountaingrove, I believe it more appropriate that this property be redesignated and rezoned for at least medium density residential, and no project should be approved without a requirement for legally affordable housing to be built as part of the ultimate development. Although City Ventures' proposed project would be for units that would be "more affordable" by design (since they will not be single family homes), I do not believe that they have made any provision for legally affordable units.

I would request that you require that this project – if/when it comes back to you after the community conversation has taken place, and after the Mitigated Negative Declaration has been corrected – be required to be for medium density housing, and that you make clear that you want to see any development project coming back on this property with legally affordable housing as part of the proposal.

Thank you for your consideration. As always, please do not hesitate to contact me if you have any questions.

Sincerely,

Sonia E. Taylor

Cc: Mayor Chris Coursey
Vice Mayor Jack Tibbetts
Councilmember Julie Combs
Councilmember Ernesto Olivares
Councilmember Chris Rogers
Councilmember John Sawyer
Councilmember Tom Schwedhelm
David Guhin, Director of Planning and Economic Development
Clare Hartman, Deputy Director, Planning
William Rose, Supervising Planner
Aaron Hollister, Planner
Patrick Streeter, Planner
Kevin McCallum, Press Democrat
Paul Gullixson, Press Democrat
Greenbelt Alliance
Accountable Development Coalition
Sonoma County Conservation Action
Sonoma County Transportation and Land Use Coalition
Housing Advocacy Group

Maloney, Mike

From: Sonia Taylor <great6@sonic.net>
Sent: Thursday, November 30, 2017 11:03 AM
To: Cisco, Patti; Edmondson, Casey; Duggan, Vicki; Groninga, Curt; Peterson, Julian; Rumble, Peter; Weeks, Karen
Cc: Coursey, Chris; Tibbetts, Jack; Combs, Julie; Olivares, Ernesto; Rogers, Chris; Sawyer, John; Schwedhelm, Tom; Guhin, David; Hartman, Clare; Rose, William; Hollister, Aaron; Kevin McCallum; Gullixson, Paul; Teri Shore; ADC Steering Committee; Kerry Fugett; SCTLCL list; HAG
Subject: Re: 11/30/17 Agenda, Item 8.4 -- Additional Comment

Chair Cisco and members of the Planning Commission:

In addition to my letter, sent yesterday, just this morning I noticed that for Item 8.4 -- Round Barn Village -- the Disclosure Form required to be completed and submitted by for the project is incomplete.

The form lists only the project applicant -- City Ventures Communities LLC -- who is clearly an LLC, but does not provide the information required by the disclosure form: "Identify all members, managers, partners, officers and directors."

The form also clearly states that the property owner's information is to be disclosed, as well. The Staff Report for this matter lists Arterial Vascular Engineering, Inc. as the owner, but none of their required information has been disclosed. In fact, everyone who has "an interest in the proposed land use action" is to be disclosed -- so there may be other missing interested individuals/companies not disclosed, and there is no way for the public or the Planning Commission to know.

As you know, I have already requested that this matter be postponed and/or rejected, and that a revised Mitigated Negative Declaration be submitted before consideration of this proposal. Now it is clear that this project must be postponed because of this lack of required disclosure. Disclosure at this late time, only hours before the hearing on this matter would be unacceptable.

Please don't hesitate to contact me if you have any questions.

Sonia

Sonia Taylor
707-579-8875

Maloney, Mike

From: Teri Shore <tshore@greenbelt.org>
Sent: Wednesday, November 29, 2017 7:29 PM
To: Cisco, Patti; Edmondson, Casey; Duggan, Vicki; Groninga, Curt; Peterson, Julian; Rumble, Peter; Weeks, Karen; _PLANCOM - Planning Commission
Cc: Coursey, Chris; Tibbetts, Jack; Combs, Julie; Olivares, Ernesto; Rogers, Chris; Sawyer, John; Schwedhelm, Tom; Guhin, David; Hartman, Clare; Rose, William; Hollister, Aaron; Teri Shore; ADC Steering Committee; Kerry Fugett; SCTLG list; HAG
Subject: SR Planning Commission Item 8.4 Round Barn Rezone - Nov. 30 - Greenbelt Comments
Attachments: GreenbeltAllianceRoundBarnComments11.30.17.pdf

Dear Chair Cisco, Planning Commissioners and Staff,

Please find attached comments from Greenbelt Alliance on the proposed rezoning and General Plan amendment at Round Barn property to change business park to housing.

Sorry for the late submission, but I plan to attend and provide testimony at the Planning Commission meeting tomorrow, Nov. 30.

Thank you for your consideration,

Teri Shore

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Teri Shore
Regional Director, North Bay

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Bay Area greenbelt lands are at risk of being lost to sprawl development. Get the facts here.